IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.35589 of 2008
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1. **Ranjit Sah** son of Khagendra Sah
2. **Khagendra Sah @ Khagendra Pd. Sah** son of Late Gujai Sah
3. **Sushila Devi** wife of Khagendra Sah @ Khagendra Pd. Sah
4. **Jitendra Sah** son of Khagendra Sah
5. **Nita Sah @ Nitya Nand Sah** son of Dhutunri Sah
6. **Maya Devi** wife of Dhaturi
   All resident of village- Pakaria, P.S.- Pranpur, District- Katihar.
7. **Manju Devi** wife of Payaro Lal Sah
   resident of village- Dumaria, P.S. Dandkhora, District- Katihar.

.... Petitioners.

Versus

The State of Bihar. ....Opposite Party.

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2 **30.09.2008** Heard learned counsels for the petitioners and the State.

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Petitioners are accused for the offence under sections 498A/406 of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

The allegation against the petitioners is of demand of dowry and torture as alleged in the complaint.

It has been submitted on behalf of the petitioners that the present case has been lodged in retaliation of an earlier case filed by the petitioner no.3 against the present complainant, as contained in Annexure-2 to the petition in which she sustained injury, however the same was found simple and in the said case the complainant was arrested and send to jail as well.

Learned Addl. P.P. appearing for the State submits that in view of the serious nature of allegation, petitioners are not entitled to grant of anticipatory bail.

Having considered the submissions, as noticed above, and in the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of six weeks from today, the petitioners, namely, Nita Sah @ Nitya Nand Sah, Maya Devi & Manju Devi be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Katihar, in connection with Complaint Case No. 812 of 2008 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

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So far as the petitioners namely, Ranjit Sah, Khagendra Sah @ Khagendra Pd. Sah, Sushila Devi & Jitendra Sah are concerned, considering the nature of allegation attributed against them, I am not inclined to grant them the privilege of anticipatory bail. Their prayer for bail is, accordingly, rejected.

Manish/- **(Shailesh Kumar Sinha,J.)**